

ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

December 8, 1989

ROSE MOFFORD
Governor

CHARLES L. MILLER
Director

THOMAS A. BRYANT II
State Engineer

Mr. Enrique Serna
City Manager
City of South Tucson
P.O. Box 7307
South Tucson, AZ 85725


Re: Letter Addendum to Maintenance Intergovernmental
Agreement Between the State of Arizona and the
City of South Tucson AG Contract #82-174,
Secretary of State #7693.

Dear Mr. Serna:

Transmitted herewith is the Letter Addendum which
has been fully executed.

You will note the effective filing date is November 27,
1989.

Very truly yours,


ROGER L. HATTON, P.E.
State Traffic Engineer
Traffic Engineering Section

RLH:TN:mz
Encl.

c: Sally Al-Hashimi
Ben Patterson
Tom Schmitt /Wayland Sizemore (D2)





Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR89-2465, is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 6 day of November, 1989.

ROBERT K. CORBIN
Attorney General

[Signature]
Assistant Attorney General
Transportation Division

EXHIBIT "C"
LETTER ADDENDUM

In accordance with paragraph 7 of the Agreement AG #82-174, Secretary of State #7693 dated April 12, 1982, for the operation and maintenance of traffic signals and/or highway lighting between the STATE OF ARIZONA and the CITY OF SOUTH TUCSON, it is agreed by both parties that the following intersection be deleted from the existing list of intersections to be operated and maintained as set forth in said Agreement.

US 89 and 33rd Street
CITY OF SOUTH TUCSON

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

for Roger L. Patton
State Engineer

DATE:

Sept 29, 1989

CITY OF SOUTH TUCSON

BY:

Enrique f. Serna

TITLE:

City Manager

DATE:

9/11/89

ATTEST:

W. Ronder
City Clerk

Date:

9/11/89

NO. <u>7693</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>11-27-89</u>
<i>Jim Shannon</i> Secretary of State
By <i>R. D. McMillan</i>

EXHIBIT "B"

APPROVAL OF THE CITY ATTORNEY

I hereby state that I have reviewed the proposed Letter Addendum to the Maintenance Intergovernmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION and the CITY OF SOUTH TUCSON and declare the Letter Addendum to be in proper form and within the powers and authority granted under the laws of the STATE OF ARIZONA.

DATED this 27th day of September, 1989.

CITY OF SOUTH TUCSON

BY:

Ant T. Rios
City Attorney

EXHIBIT "A"
RESOLUTION 89-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON APPROVING THE LETTER ADDENDUM TO THE MAINTENANCE AGREEMENT BETWEEN THE CITY AND THE STATE OF ARIZONA.

WHEREAS, the City of South Tucson and the State of Arizona have entered into an intergovernmental agreement (IGA) AG Contract #82-174 for the maintenance of US 89 (S. 6th Avenue), and

WHEREAS, the State of Arizona through its Department of Transportation has resolved that the removal of said signal reduces air pollution, improves traffic flow and eliminates maintenance expense and utility costs, and

WHEREAS, through said IGA the State of Arizona is carrying out its maintenance activities for the safety and protection of the traveling public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of South Tucson, that the Letter Addendum (Exhibit "C") to the IGA AG Contract #82-174 be passed and adopted.

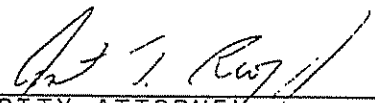
WHEREAS, it is necessary for the preservation of peace, health and safety of the City of south Tucson, Arizona, an emergency is declared to exist, and this resolution shall be effective immediately upon its passage and adoption.


PASSED AND ADOPTED by the Mayor and Council of the City of South Tucson, Arizona, this 11th day of September, 1989.


VICTOR SOLTERO, MAYOR

APPROVED AS TO FORM:

ATTEST:


CITY ATTORNEY


WILLIAM L. PONDER, CITY CLERK

Maintenance - Traffic Signals

US 89 and 33rd Street
CITY OF SOUTH TUCSON

RESOLUTION

BE IT RESOLVED ON THIS 2nd day of September, 19 88,
that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT
OF TRANSPORTATION, have determined that it is in the best
interests of the State of Arizona that the DEPARTMENT OF
TRANSPORTATION, acting by and through the Highways Division,
enter into a Letter Addendum to the Maintenance Intergovern-
mental Agreement with the CITY OF SOUTH TUCSON due to the re-
moval of the signal at the referenced location. The removal
of this signal reduces air pollution, improves traffic flow
and eliminates maintenance expenses and utility costs. THERE-
FORE, authorization is hereby given to draft said Letter Add-
endum which, upon completion, shall be submitted for approval
and execution by the State Engineer.



CHARLES L. MILLER, DIRECTOR
ARIZONA DEPARTMENT OF TRANSPORTATION

SECRETARY OF STATE
INTERGOVERNMENTAL AGREEMENT INFORMATION SUMMARY

IGA BETWEEN THE STATE OF ARIZONA AND THE CITY OF SOUTH TUCSON
US 89 and 33rd Street

DATE: November 20, 1989

TYPE OF AGREEMENT: Traffic Signals

CONSTRUCTION _____
MAINTENANCE X

CONTRACT NUMBER: AG #KR 89-2465

IS THIS AN ORIGINAL CONTRACT? ☐ Yes ☒ No

CONTRACT ADDENDUM TO SOS FILE NUMBER: 7693

IF ADDENDUM, FILE DATE OF ORIGINAL CONTRACT: 4/12/82

EXPIRATION DATE OF CONTRACT: Automatically renewable
on a yearly basis.

IF NO EXPIRATION DATE, IS
CONTRACT INDEFINITELY ONGOING? ☒ Yes ☐ No

OTHER PROVISION FOR EXPIRATION? May be terminated by
either party at anytime upon proper notice.

SUBMITTED BY:
ARIZONA DEPARTMENT OF TRANSPORTATION
TRAFFIC OPERATIONS SERVICES
1655 West Jackson, (Mail Drop 116F)
Phoenix, AZ 85007

(Please return executed copy to
same address)

Sett.

August 29, 1979

Richard Salas
Public Works Director
P.O. Box 7245
South Tucson, Arizona 85725

Re: Maintenance Agreement

Dear Mr. Salas:

Per our recent discussion, I am forwarding herewith a duplicate copy of the draft Maintenance Agreement and transmittal letter dated June 7, 1978.

I would again like to emphasize the fact that the new agreement requires less of the community than the one which is presently in effect. The old agreement required the community to relamp the signals, clean the signal lenses, paint poles, etc., and pay for utilities. The new agreement relieves the city of the burden with regard to maintenance activities and now only requires the city to pay utilities. Accordingly, ADOT will assume all required maintenance.

Very truly yours,

OSCAR T. LYON, JR., P.E.
State Engineer

DAVID R. OLIVAREZ
Traffic Engineer
Traffic Operations Services

DRO:mz
Encl.

cc: Carlie Bowmer
John Kulinovich